

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE

SANDRO FUENTES GARCIA

Debtor

CASE NO. 19-02465-ESL

CHAPTER 13

**OBJECTION TO CREDITOR ASUME PROOF OF CLAIM NO 5
TO THE HONORABLE COURT:**

COMES NOW debtor through the undersigned attorney and very respectfully states and prays as follows:

1. Debtor filed a voluntary petition under Chapter 13 case on May 2 , 2019 (see docket #1).
2. ASUME filed a POC no 5 on June 10, 2019 in the amount of \$21, 378.37.
3. Debtor does not have any minor children, it appears that this debt is from the original child support order that dates back to October 1, 2007. More than 11 years have elapsed after the order.
4. Debtor's daughter is 26 years old, after she became of legal age she never requested the payment of this childsupport, In Puerto Rico the statue of limitations for childsupport debt recovery is 5 years after becoming of legal age .
5. Puerto Rico Civil Code Title 31 L.P.R.A 5296 states the action which prescribe in (5) years

Actions to demand the fulfilment of the following obligations prescribe in five (5) years:

- (1) For the payment of income for support.
- (2) For the payment of rents, whether derived from rural or from town property.
- (3) That of any other payments which should have been made annually or in shorter periods.

6. Furthermore, debtor's daughter filed a motion in state court requesting the closing of the casa in ASUME since she ha no interest in claiming this debt (see attachment of document presented in state court)

7. For the reasons stated above debtor objects to ASUME proof of claim and request that it be disallowed entirely.

8. Pursuant to Bankruptcy Code Section 502 (b), if an objection is made then the court shall determine the amount of the allowed claim. Under Section 502 (b) provides that a claim may not be allowed to the extent that "such claim is unenforceable against the debtor and property of the debtor under any agreement or applicable law"

WHEREFORE, Debtors respectfully prays that this Honorable Court takes notice of the foregoing and that the Claimed filed by Creditor be disallowed entirely.

CERTIFICATE OF SERVICE: I CERTIFY that on this date, I electronically filed the above document with the Clerk of the Court using the CM/ECF System which sends a notification of such filing to all those who in this case have registered for receipt of notice by electronic mail. I further certify that the foregoing has been served to the non CM/ECF participant, as per the master address list, by depositing true and correct copies therefore in the United States Mail to Wanda Vazquez Secretary of Justice PO BOX 9020192 San Juan PR 00902-0140, Alvaro Basabe Administrative Official of ASUME PO BOX 71316 San Juan PR 00936-8416

30 DAYS NOTICE: You are hereby notified that you have (30) days from the date of this notice to file and opposition to the foregoing motion and to request a hearing. If no opposition is filed within the prescribed period of time, Debtor's Motion will be deemed unopposed and may be granted without further hearing unless it is forbidden by law, against public policy or in the Courts opinion, the interest of justice requires otherwise.

RESPECTFULLY SUBMITTED.

Dated this June 29,2019

s/Melissa Cofán Hernández
Melissa Cofán Hernández
USDC 224206
PO BOX 944
Dorado PR 00646
Tel: (787)640-6882
melissacofan@yahoo.com

Yo, Keysha M. Fuentes, de 26 años de edad, ☐ casado(a), ☒ soltero(a),
número de seguro social _____, de ocupación Estudiante y vecino(a) de
Caguas bajo juramento declaro que:

1. Mi nombre y circunstancias personales son las indicadas anteriormente.
2. Soy la parte promovente, en el presente incidente de este caso.
3. Todo lo expresado en el presente documento es cierto.

En Caguas, Puerto Rico, a 24 de Abril de 2019.

AFIDÁVIT

Firma

Afidávit número: _____ Keysha M. Fuentes Alejandro

Jurado y suscrito ante mí por la parte promovente antes mencionada y cuya identidad ha
sido acreditada conforme a los mecanismos de ley, mediante T-3D-6616483.

En Caguas, Puerto Rico, a 24 de abril de 2019.

CARMEN ANA PEREIRA ORTIZ

Secretario(a) del Tribunal
o Notario(a) Público(a)

SHEILA ROLDÁN RODRIGUEZ

Sec. Auxiliar del Tribunal
Secretario(a) Auxiliar



2019 APR 24 11:11:02

Nombre: Maria Alejandra Hernandez

CIVIL NÚM. EAL-2001-0537

VS

Nombre: Sandro Fuentes Garcia

SOBRE: Alimentos

MOCIÓN

AL HONORABLE TRIBUNAL:

Comparece Keysha Mary Fuentet Alexander por su propio derecho y respetuosamente alega, expongo y solicito:

1. Soy la parte ☒ promovente ☐ promovida en este incidente.
2. Esta moción es sobre: Cierre de caso ASUME Balance 0
3. Que en este momento cuento con 26 años de edad, Adjunto documento de certificado de nacimiento, existe un balance en ASUME y no tengo interés alguno en cobrar balance de esa deuda, Por lo que solicito que se ordene a ASUME el cierre de cuenta con balance en 0
Solicito el desglose del certificado de nacimiento

POR TODO LO CUAL, solicito de este Honorable Tribunal que:

1. Queda Informado
2. Ordene el cierre cuenta ASUME balance 0
3. _____
4. Dicto cualquier otra providencia que proceda conforme a Derecho.

En Caguas, Puerto Rico, a 24 de Abril de 2019.

CERTIFICO: Que le estoy enviando copia de esta moción a la otra parte, en esta misma fecha

- ☐ POR CORREO REGULAR
☐ POR CORREO CERTIFICADO CON ACUSE DE RECIBO
☒ PERSONALMENTE
☐ OTRO (EXPLIQUE): _____

Dirección de la OTRA PARTE

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P- Bayamón 00956
Calle Dinuba H-20 Urb. Santa Juana
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TELÉFONO: (787) 532-2788

K. J. Junt
FIRMA

Dirección:

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0104-3

Case 1:02-cv-02465-ESL13 Doc#:29 Filed:06/29/19 Entered:06/29/19 07:06:51 Desc: Main Document Page 5 of 6

District of Puerto Rico
Old San Juan

Fri Jun 21 13:13:32 AST 2019

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BANCO POPULAR DE PUERTO RICO
AS A SERVICING AGENT OF
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The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

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Total	23